

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re:	Tuomanen <i>et al.</i>	Confirmation No.:	To be Assigned
Appl No.:	To be Assigned	Group Art Unit:	To be Assigned
Filed:	Concurrently Herewith	Examiner:	To be Assigned
For:	A POLYPEPTIDE COMPRISING THE AMINO ACID OF AN N-TERMINAL CHOLINE BINDING PROTEIN A TRUNCATE, VACCINE DERIVED THEREFROM AND USES THEREOF		

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT
CITATION UNDER 37 C.F.R. § 1.97**

Attached is a list of documents on form PTO-1449.

It is requested that the Examiner consider these documents and officially make them of record in accordance with the provisions of 37 C.F.R. § 1.97 and Section 609 of the MPEP. By submitting the listed documents, Applicant in no way makes any admission as to the prior art status of the listed documents, but is instead submitting the listed documents for the sake of full disclosure.

Any foreign patents or non-patent literature documents items are attached, except those that were supplied in, or cited by the Office during prosecution of, parent Application No. 09/056,019 filed April 7, 1998. Since the benefit of this application was claimed under 35 U.S.C. 120, no copies need to be furnished in accordance with 37 C.F.R. 1.98(d); however, copies will be furnished on request.

Respectfully submitted,



Kelly J. Williamson
Patent Agent
Registration No. 47,179

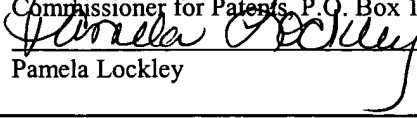
Customer No. 29312
ALSTON & BIRD LLP
Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000
Tel Raleigh Office (919) 862-2200
Fax Raleigh Office (919) 862-2260

"Express Mail" mailing label number EL868642415US

Date of Deposit January 5, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to:

Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450



Pamela Lockley

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known			
				Application Number		To be Assigned	
				Filing Date		Concurrently Herewith	
				First Named Inventor		Tuomanen	
				Group Art Unit		To be Assigned	
				Examiner Name		To be Assigned	
Sheet	1	of	2	Attorney Docket Number		044158/273011	
U. S. PATENT DOCUMENTS							
Examiner Initials*	Cite No. ¹	U.S. Patent Document Number Kind Code ² (if known)		Name of Patentee or Applicant Of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages of Relevant Figures Appear	
	1	US-4,925,673		STEINER <i>et al.</i>	05-15-1990		
	2	US-5,013,556		WOODLE <i>et al.</i>	05-07-1991		
	3	US-5,284,656		PLATZ <i>et al.</i>	02-08-1994		
	4	US-5,451,569		WONG <i>et al.</i>	09-15-1995		
	5	US-6,245,335		MASURE <i>et al.</i>	06-12-2001		
	6	US-6,291,654		HOSTETTER <i>et al.</i>	09-18-2001		
	7	US-6,420,135		KUNSCH <i>et al.</i>	07-16-2002		
	8	US-6,503,511		WIZEMANN <i>et al.</i>	01-07-2003		
FOREIGN PATENT DOCUMENTS							
Examiner Initials	Cite No.	Foreign Patent Document Office ³ Number ⁴ Kind Code (if known) ⁵		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
	9	EP	401,384		ISHIKAWA, R.	03-13-1996	
	10	WO	97/41151		MASURE, H., <i>et al.</i>	11-06-1997	1-53
	11	WO	97/09994		BRILES, D., <i>et al.</i>	03-20-1997	1-28, 40, 53
	12	WO	98/21337		HOSTETTER, M., <i>et al.</i>	05-22-1998	1-53
	13	WO	98/18930		KUNSCH, C., <i>et al.</i>	05-07-1998	1-53
	14	WO	99/51187		TUOMANEN, E., <i>et al.</i>	10-14-1999	1-53
	15	WO	99/51266		WIZEMANN, T., <i>et al.</i>	10-14-1999	1-53
OTHER DOCUMENTS							
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.					
	16	ADJEI <i>et al.</i> , "Pulmonary delivery of peptide drugs: effect of particle size on bioavailability of leuprolide acetate in healthy male volunteers," <i>Pharma Res.</i> , 1990, pp. 565-569, Vol. 7.					

¹ Unique citation designation number.

² See attached Kinds of U.S. Patent Documents.

³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).

⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible.

⁶ Applicant is to place a check mark here if English language Translation is attached.

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	To be Assigned
				Filing Date	Concurrently Herewith
				First Named Inventor	Tuomanen
				Group Art Unit	To be Assigned
Examiner Name	To be Assigned				
Sheet	2	of	2	Attorney Docket Number	044158/273011
OTHER DOCUMENTS					
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			
	17	CUNDELL <i>et al.</i> , "Receptor specificity of adherence of Streptococcus pneumoniae to human type-II pneumocytes and vascular endothelial cells in vitro," <i>Micro Pathog.</i> , 1994, pp. 361-374, Vol. 17.			
	18	CUNDELL <i>et al.</i> , "Streptococcus pneumoniae anchor to activated human cells by the receptor for platelet-activating factor," <i>Nature</i> , 1995, pp. 435-438, Vol. 377.			
	19	HAMMERSCHMIDT <i>et al.</i> , "SpsA, a novel pneumococcal surface protein with specific binding to secretory immunoglobulin A and secretory component," <i>Mol. Microbiol.</i> , 1997, pp. 1113-1124, Vol. 25.			
	20	IDANPAAN-HEIKKELA I., <i>et al.</i> , "Oligosaccharides interfere with the establishment and progression of experimental pneumococcal pneumonia," <i>J. Infect. Dis.</i> , 1997, pp. 704-712, Vol. 176.			
	21	LANGER, "New methods of drug delivery," <i>Science</i> , pp. 1527-1533, Vol. 249.			
	22	MALIK <i>et al.</i> , "Polyethylene glycol (PEG)-modified granulocyte-macrophage colony-stimulating factor (GM-CSF) with conserved biological activity," <i>Exp. Hematol.</i> , 1992, pp. 1028-1035, Vol. 20.			
	23	MCDANIEL <i>et al.</i> , "Molecular localization of variable and conserved regions of pspA and identification of additional pspA homologous sequences in Streptococcus pneumoniae," <i>Microb. Pathog.</i> , 1992, pp. 261-269, Vol. 13.			
	24	NEWMARK <i>et al.</i> , "J. Appl. Biochem.", 1982, pp. 185-189, Vol. 4.			
	25	REMINGTON'S PHARMACEUTICAL SCIENCES, 18 th ed., 1990, Chap. 89, Mack Publishing Co., Easton, PA.			
	26	RONDA <i>et al.</i> , "Biological role of the pneumococcal amidase. Cloning of the lytA gene in Streptococcus pneumoniae," <i>Eur. J. Biochem.</i> , 1987, pp. 621-624, Vol. 164.			
	27	ROSENOW <i>et al.</i> , "Contribution of novel choline-binding proteins to adherence, colonization and immunogenicity of Streptococcus pneumoniae," <i>Mol. Microbiol.</i> , 1997, p. 819, Vol. 25.			
	28	SHAPIRO <i>et al.</i> , "The protective efficacy of polyvalent pneumococcal polysaccharide vaccine," <i>NJEM</i> , 1991, p. 1453, Vol. 325.			
	29	TUOMANEN <i>et al.</i> , "Phenotypic tolerance: the search for beta-lactam antibiotics that kill nongrowing bacteria," <i>Rev. Infect Dis.</i> , 1986, p. 279, Vol. 8, Suppl. 3.			
	30	TUOMANEN <i>et al.</i> , "Microbiological and clinical significance of a new property of defective lysis in clinical strains of pneumococci," <i>J. Infect Dis.</i> , 1988, pp. 36-43, Vol. 158.			
	31	TUOMANEN <i>et al.</i> , "Pathogenesis of pneumococcal infection," <i>NEJM</i> , 1995, pp. 1280, Vol. 322.			
	32	WEARLY, <i>Crit. Rev. in Their Drug Carrier System</i> , 1991, pp. 333, Vol. 8.			
Examiner Signature				Date Considered	

*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.